

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : KANE, Michael T.

Application No.:

Filed : March 16, 2004

Title : Panel Attachment System

Asheville, North Carolina
March 16, 2004

PRELIMINARY REMARKS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The subject patent application filed concurrently herewith is a division of parent application Serial No. 10/226,566, and is directed generally to claim Groups I (claims 1-4) and III (claims 14-22) of Serial No. 10/226,566 (Attorney Docket ITM-70).

At the outset, it is noted with appreciation the Examiner has determined that claim Groups I, II and III are patentable over each other (i.e., "distinct"), and it is assumed that a consistent standard of patentability will be applied during substantive examination of the claims of the subject divisional patent application in view of the prior art. In particular, it is assumed that any prior art which may be discovered corresponding to the claims of Group II would not be applied in rejecting claims corresponding to either Group I or Group III. Likewise, it is assumed that any prior art which may be discovered corresponding to the claims of Group I would not be

applied in rejecting claims corresponding to Group III; and that any prior art which may be discovered corresponding to the claims of Group III would not be applied in rejecting claims corresponding to Group I.

In the subject divisional patent application, the claims of Serial No. 10/226,566 have been revised to, among other things, obviate the stated basis for the restriction requirement as between claim Groups I and III in parent application Serial No. 10/226,566. Accordingly, there should be no need for another restriction requirement in the subject application.

In particular, new claim 1 is presented in the subject divisional patent application, and dependent claims 2-14 include subject matter copied from claims of both Groups I and III of Serial No. 10/226,566, thereby linking those groups of claims.

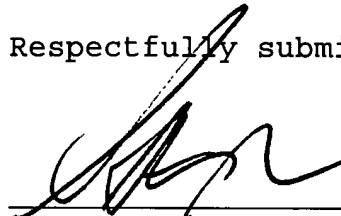
Thus, the subject matter of dependent claim 4 is copied from claim 14 (of Group III) of Serial No. 10/226,566; the subject matter of dependent claim 5 is copied from claim 18 (of Group III) of Serial No. 10/226,566; the subject matter of dependent claim 6 is copied from claim 1 (of Group I) of Serial No. 10/226,566; and the subject matter of dependent claim 7 is copied from claim 4 (of Group I) of Serial No. 10/266,566.

Independent claim 8 of the subject divisional patent application is based on claim 1 of Serial No. 10/226,566, and dependent claims 9-11 are based on dependent claims 2-4 of Serial No. 10/266,566. Independent claim 12 of the subject divisional patent application is based on claim 14 of Serial No. 10/226,566. Independent claim 17 of the subject divisional patent application is based on claim 18 of Serial No. 10/226,566.

In view of the foregoing, favorable initial examination and of all of the claims in the subject divisional patent application is requested.

Finally, a Petition to Make Special on the basis of actual infringement accompanies this patent application filing. Expedited as well as favorable examination is requested.

Respectfully submitted,



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